

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
62nd LEGISLATURE - REGULAR SESSION**

HOUSE AGRICULTURE COMMITTEE

Date: Thursday, February 10, 2011
Place: Capitol

Time: 3:00 PM
Room: 472

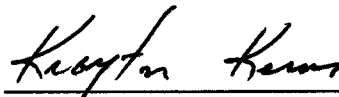
BILLS and RESOLUTIONS HEARD:

HB 390 - Require inspection for dog breeding facilities
HB 407 - Define potentially dangerous and dangerous dog, provide exemptions, penalties

EXECUTIVE ACTION TAKEN:

HB 413
HB 331
HB 133

Comments:



REP. Krayton Kerns, Chair

HOUSE OF REPRESENTATIVES
Roll Call
AGRICULTURE COMMITTEE

DATE: 2/10/11

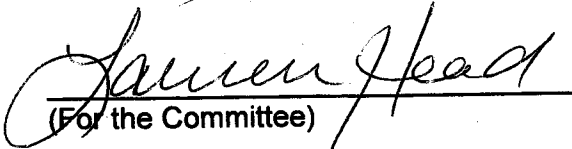
<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. BOB WAGNER, VICE CHAIR		X
REP. TIM FUREY, VICE CHAIR		X
REP. LEE RANDALL	X	
REP. STERLING SMALL	X	
REP. EDIE MCCLAFFERTY		X
REP. ALAN HALE	X	
REP. FRANK SMITH	X	
REP. CHRISTY CLARK	X	
REP. PAT NOONAN		X
REP. JOE READ	X	
REP. CAROLYN PEASE-LOPEZ	X	
REP. BRIAN HOVEN	X	
REP. JOANNE BLYTON	X	
REP. STEVE FITZPATRICK	X	
REP. LILA EVANS		X
REP. KATHLEEN WILLIAMS	X	
REP. DAVID HOWARD	X	
REP. MARGARET MACDONALD	X	
REP. JONATHAN MCNIVEN	X	
REP. DANIEL SALOMON		X
REP. KRAYTON KERNS, CHAIR	X	

COMMITTEE FILE COPY

BILL TABLED NOTICE

HOUSE AGRICULTURE COMMITTEE

The HOUSE AGRICULTURE COMMITTEE TABLED
HB 413 - Establish net client hunting use as outfitter property, by motion, on Thursday,
February 10, 2011.


(For the Committee)


(For the Chief Clerk of the House)

10:14 2/11
(Time) (Date)

February 11, 2011

Lauren Head, Secretary

Phone: 4872



HOUSE STANDING COMMITTEE REPORT

February 10, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Agriculture** recommend that **House Bill 331** (first reading copy -- white) do pass as amended.

Signed: _____

Krayton Kerns
Representative Krayton Kerns, Chair

And, that such amendments read:

1. Page 1.

Following: line 30

Insert: "(5) If the governor declares an emergency due to the need to destroy animals infected with brucellosis, the governor may authorize the expenditure of funds pursuant to 10-3-312 for the purposes provided in this section. Those funds must be deposited in the brucellosis indemnity account established in [section 2]."

- END -

Committee Vote:

Yes 17, No 3

Fiscal Note Required ☐

HB0331001SC.hgh

Handwritten: 2/11
11:13



HOUSE STANDING COMMITTEE REPORT

February 10, 2011

Page 1 of 3

Mr. Speaker:

We, your committee on **Agriculture** recommend that **House Bill 133** (first reading copy -- white) **do pass as amended.**

Signed: Krayton Kerns
Representative Krayton Kerns, Chair

And, that such amendments read:

1. Page 1, line 16.

Strike: "attempt to"

2. Page 1, line 17.

Strike: "or telephone"

3. Page 1, line 18.

Following: "The"

Insert: "If the landowner has an agent for service on file with the secretary of state, the notice must be given by mail to the registered agent. The landowner or the landowner's representative shall respond to the notice within 10 days."

4. Page 1, line 20.

Following: "time"

Strike: ", "

Insert: ". The inspection must occur"

Strike: "3"

Insert: "7"

5. Page 1, line 21.

Strike: "agreeing" through "inspection"

Insert: "the agreed-upon inspection date"

Following: "notification"

Strike: "the" through "notify"

Committee Vote:

Yes 15, No 6

Fiscal Note Required ☐

HB0133001SC.hgh

Handwritten: 2/11 11:13

Insert: "notifying"

6. Page 1, line 23.

Following: "may"

Insert: "seek a court order to"

7. Page 1, line 26.

Strike: "attempt to"

8. Page 1, line 27.

Strike: "or telephone"

9. Page 1, line 29.

Strike: "shall"

Insert: "may"

10. Page 2, line 4.

Following: "notification"

Insert: "after the notification or within 10 days"

Following: "notice"

Strike: "required"

11. Page 2, line 7 through line 8.

Following: "found" on line 7

Strike: remainder of line 7 through "penalty" on line 8

12. Page 2.

Following: line 8

Insert: "(c) Within 10 days after the board has issued a notice to comply with the noxious weed management program, the landowner or landowner's representative may file a request for a hearing in court if the landowner or landowner's representative disagrees with the noxious weed management control measures proposed to be taken by the board.

(d) If a request for a hearing has been filed pursuant to subsection (2)(c), the board or the board's agent may not take any action to control the noxious weeds until after the hearing and authorization from the court."

Renumber: subsequent subsections

13. Page 2, line 9.

Following: "(2)(b)"

Insert: "and a hearing is requested in court"

Following: the second "penalty"

Strike: "must"

Insert: "may"

Following: "be"

Strike: "imposed"

Insert: "sought"

14. Page 2, line 11 through line 12.

Strike: "A civil" on line 11 through line 12 in its entirety

15. Page 2, line 28.

Following: "(1)(b)(iii)."

Insert: "If the board decides to seek a civil penalty under 7-22-2123(2)(b) instead of taking the control measures, the board shall obtain judicial approval from the court for the penalty."

- END -

HOUSE OF REPRESENTATIVES
Roll Call Vote
AGRICULTURE COMMITTEE

DATE: 2/10/11 BILL NO HB 413 MOTION NO. 1
 MOTION: DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR		X	
REP. TIM FUREY, VICE CHAIR			PASS
REP. LEE RANDALL	X		
REP. STERLING SMALL	X		
REP. EDIE MCCLAFFERTY		X	
REP. ALAN HALE	X		
REP. FRANK SMITH	X		
REP. CHRISTY CLARK	X		
REP. PAT NOONAN		X	
REP. JOE READ	X		
REP. CAROLYN PEASE-LOPEZ		X	
REP. BRIAN HOVEN		X	
REP. JOANNE BLYTON	X		
REP. STEVE FITZPATRICK		X	
REP. LILA EVANS		X	
REP. KATHLEEN WILLIAMS		X	
REP. DAVID HOWARD	X		
REP. MARGARET MACDONALD		X	
REP. JONATHAN MCNIVEN		X	
REP. DANIEL SALOMON	X		
REP. KRAYTON KERNS, CHAIR	X		

10 10

HOUSE OF REPRESENTATIVES
Roll Call Vote
AGRICULTURE COMMITTEE

DATE: 2/10/11 BILL NO. HB 331 MOTION NO. 3
 MOTION: AMENDMENT #2

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR	X		
REP. TIM FUREY, VICE CHAIR			Pass
REP. LEE RANDALL		X	
REP. STERLING SMALL		X	
REP. EDIE MCCLAFFERTY		X	
REP. ALAN HALE		X	
REP. FRANK SMITH		X	
REP. CHRISTY CLARK		X	
REP. PAT NOONAN		X	
REP. JOE READ		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. BRIAN HOVEN		X	
REP. JOANNE BLYTON		X	
REP. STEVE FITZPATRICK		X	
REP. LILA EVANS		X	
REP. KATHLEEN WILLIAMS		X	
REP. DAVID HOWARD		X	
REP. MARGARET MACDONALD		X	
REP. JONATHAN MCNIVEN	X		
REP. DANIEL SALOMON		X	
REP. KRAYTON KERNS, CHAIR	X		

4 16

HOUSE OF REPRESENTATIVES
Roll Call Vote
AGRICULTURE COMMITTEE

DATE: 2/10/11 BILL NO HR 331 MOTION NO. 4
 MOTION: DO PASS AS AMENDED ONCE

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR		A	
REP. TIM FUREY, VICE CHAIR			PASS
REP. LEE RANDALL	X		
REP. STERLING SMALL	X		
REP. EDIE MCCLAFFERTY	X		
REP. ALAN HALE	X		
REP. FRANK SMITH	X		
REP. CHRISTY CLARK	X		
REP. PAT NOONAN	X		
REP. JOE READ	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. BRIAN HOVEN	X		
REP. JOANNE BLYTON	X		
REP. STEVE FITZPATRICK	X		
REP. LILA EVANS	X		
REP. KATHLEEN WILLIAMS	X		
REP. DAVID HOWARD	X		
2 REP. MARGARET MACDONALD		X	
REP. JONATHAN MCNIVEN	X		
REP. DANIEL SALOMON	X		
REP. KRAYTON KERNS, CHAIR		X	

17 3

HOUSE OF REPRESENTATIVES
Roll Call Vote
AGRICULTURE COMMITTEE

DATE: 2/10/11 BILL NO HB 133 MOTION NO. 5
 MOTION: DO PASS AS AMENDED

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BOB WAGNER, VICE CHAIR	X		
REP. TIM FUREY, VICE CHAIR	X		X
REP. LEE RANDALL	X		
REP. STERLING SMALL	X		
REP. EDIE MCCLAFFERTY		X	
REP. ALAN HALE		X	
REP. FRANK SMITH		X	
REP. CHRISTY CLARK	X		
REP. PAT NOONAN	X		X
REP. JOE READ	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. BRIAN HOVEN	X		
REP. JOANNE BLYTON	X		
REP. STEVE FITZPATRICK		X	
REP. LILA EVANS		X	
REP. KATHLEEN WILLIAMS	X		
REP. DAVID HOWARD	X		
REP. MARGARET MACDONALD	X		
REP. JONATHAN MCNIVEN	X		
REP. DANIEL SALOMON	X		
REP. KRAYTON KERNS, CHAIR		X	

15 6

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Agriculture

Committee because of other commitments. I desire to leave my proxy vote with:

Margie Anne Donald

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

[illegible][illegible]Rep. 9/11

(Signature)

Date 1/11/11

Pat Moran

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Agriculture

Committee because of other commitments. I desire to leave my proxy vote with:

Margie MacDonald

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

[illegible][illegible]

Rep.

(Signature)

Date _____

MONTANA House of Representatives
Visitors Register
HOUSE AGRICULTURE COMMITTEE

Thursday, February 10, 2011

HB 407 - Define potentially dangerous and dangerous dog, provide exemptions, penalties

Sponsor: Representative Robyn Driscoll

PLEASE PRINT

Name	Representing	Support	Oppose
Cristina Rogers		✓	
Brenna Rogers		✓	
Amy Lamm DVM		✓	
Wendy Hergenroeder	The Humane Society of the US	✓	
DAVE PAULI	Montana Animal Care Assn	✓	
JANET KOSNIK			X
Doug Ruebke		✓	
Cheryl Moldenham			X
Lisa Mathur			X
Gina Wiest	Lewis + Clark Human	✓	
John MacDonald	City of Missoula	Info	
LE BARTLETT	CITIZEN BIKING, YELLOW	X	
M. DUEZABON	SELF		✓
Brue Spence	PCI / Allstate	X	X
Jackie Cernach	AIA		X
Gres Van Horn	SDS Farm		X
Tim RAVENHILL	Self		X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives
Visitors Register
HOUSE AGRICULTURE COMMITTEE

Thursday, February 10, 2011

HB 390 - Require inspection for dog breeding facilities

Sponsor: Representative Margaret (Margie) MacDonald

PLEASE PRINT

Name	Representing	Support	Oppose
Cristina Rogers		✓	
Brenna Rogers		✓	
Amy Lamm DVM		✓	
Wendy Hergenroeder	The Humane Society of the US	✓	
Carla Cary Van Sicken		✓	
DAVE PAULI	Montana Animal Care Assn	✓	
JANET KOSNIK			X
Doug Ruebke		✓	
Cheryl Meldenbauer			X
Gina Wiest	Heurs + Clark Humane	✓	
Christian Mackay	LIVESTOCK	LWFD	
Ed BARTLETT	BILLINGS, YELLOWSTONE COUNTY	X	
MARK MURPHY	MCR	X	
M DUEZABOU	SELF		✓
Stuart Daggett	MT Veterinary Medical Association	X	
Tim RAVENHILL	SELF		✓

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

NCHU Info From Phillip Bowers

12:43 PM

phillip@lonewolfguides.com

To: Johnson, Jean

From: **phillip@lonewolfguides.com**

Sent: Thu 2/10/11 12:43 PM

To: Johnson, Jean (smolts@msn.com)

Jean,

In the spring of 2009 I received my Montana Outfitters License #6049. I then purchased an existing outfitting business from Mark & Linda Baumeister for \$150,000. It was to include NCHU for \$105,600, Equipment for \$25,000, and the balance was some blue sky. The NCHU consisted of both Category #1's and Category #2's. The Category #1's both B-10's and B-11's were the most valuable because of the Outfitter Sponsored Gaurentted License! They held a value that was considered a cold hard asset to the business. Thus, how I was able to get the loan to purchase the business! The existing outfitter was to finish up the 2009 season and I would then take over starting 2010 and forward. My first year in the business and I lost all my Category #1 NCHU!! WOW!

Category #1's : (49) - B-10's x \$1200ea. = \$58,800

(19) - B-11's x \$1200ea. = \$22,800

Total = \$81,600

Category #2's : (48) x \$500ea. = \$24,000

Total = \$105,600

Hope this info is helpful and if you need more detail let me know or if you have any questions give me a call.

Thanks,

Phillip

T. Phillip Bowers
Lone Wolf Guide Service
P.O. Box 631
Livingston, MT 59047
(406) 223-1108
phillip@lonewolfguides.com

Put w/EA
minutes for
NCHU bill